



Office of Environment, Safety, and Health

Enforcement Program- Accomplishments & Changes

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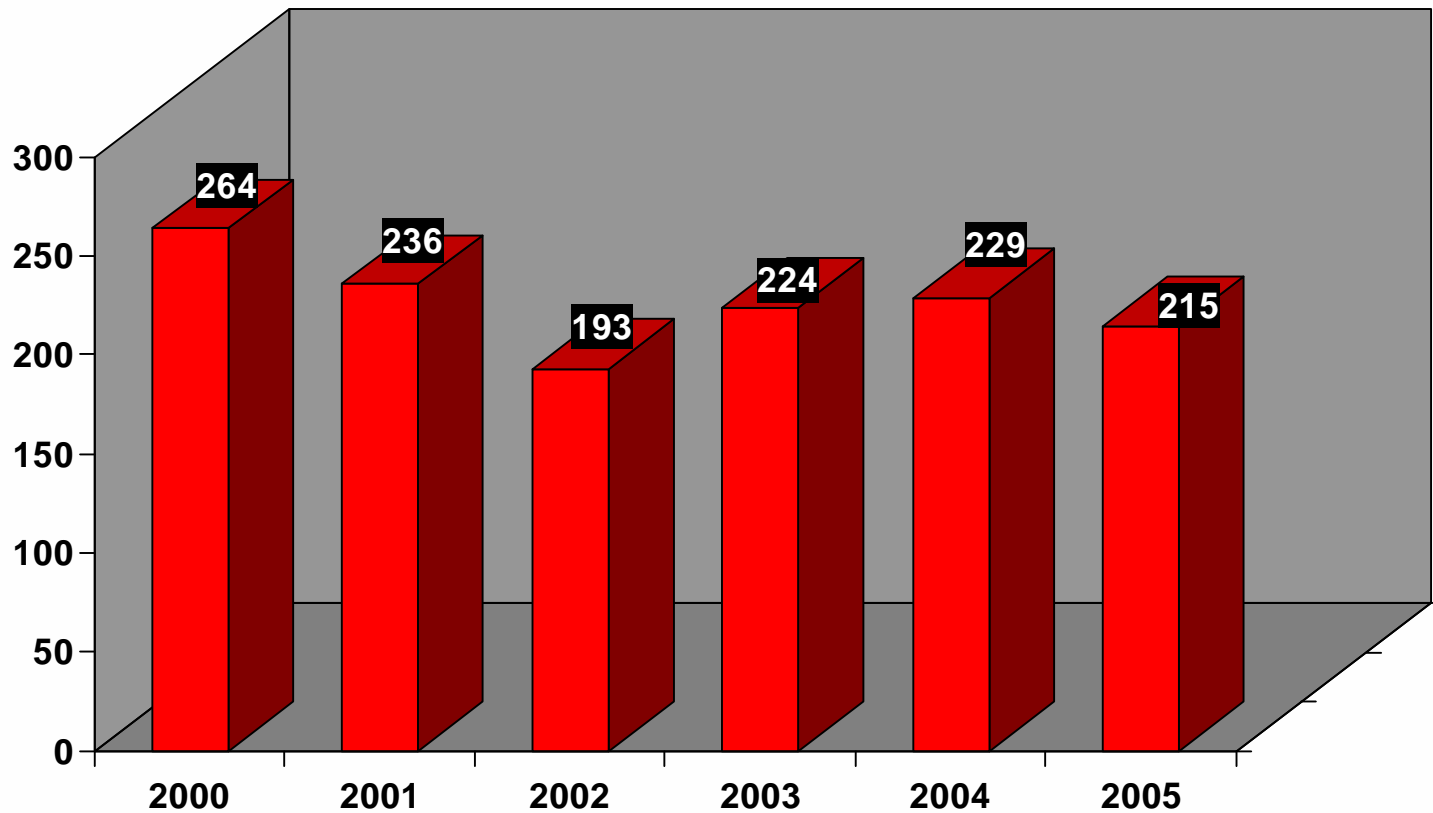
Enforcement Program Review

- ✦ NTS Reporting
- ✦ 2005 Enforcement Activity
- ✦ Program Implementation – NS Performance
- ✦ Improvement Initiatives
- ✦ Other Future Activity/Emphasis





NTS Reporting



Helping the field succeed with safe and reliable operations.





NTS Reporting (*cont'd*)

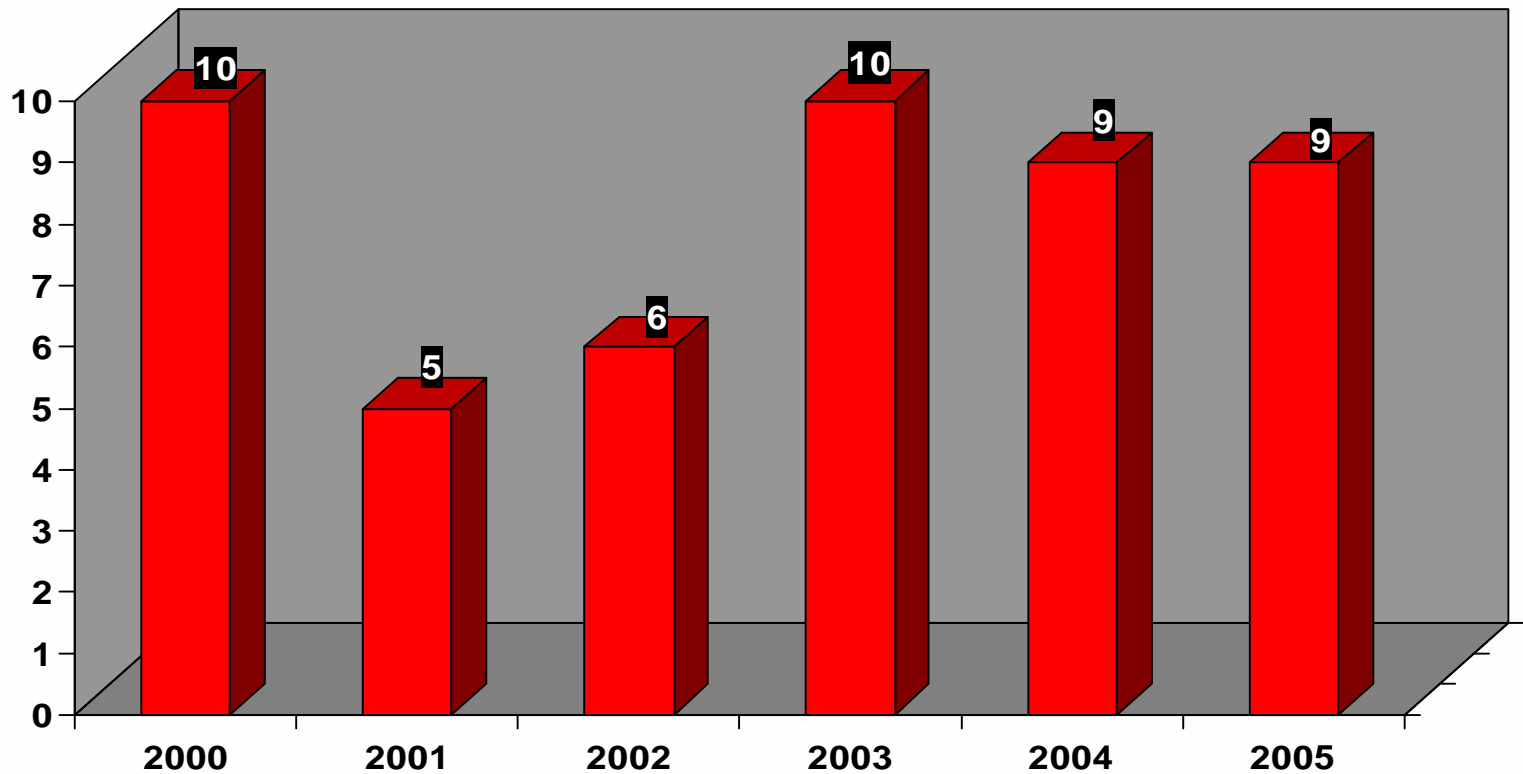
Assessment vs. Event-Disclosed

- OE is still seeing the majority of problems reported into NTS as being event-disclosed
- The goal is to become predominantly assessment driven—finding underlying problems before they result in adverse events – by FY 2008
- Caution – Don't let this become a bean-counting exercise
- Objective – Improve Assessment Programs





2005 Enforcement Activity PNOV & Consent Orders



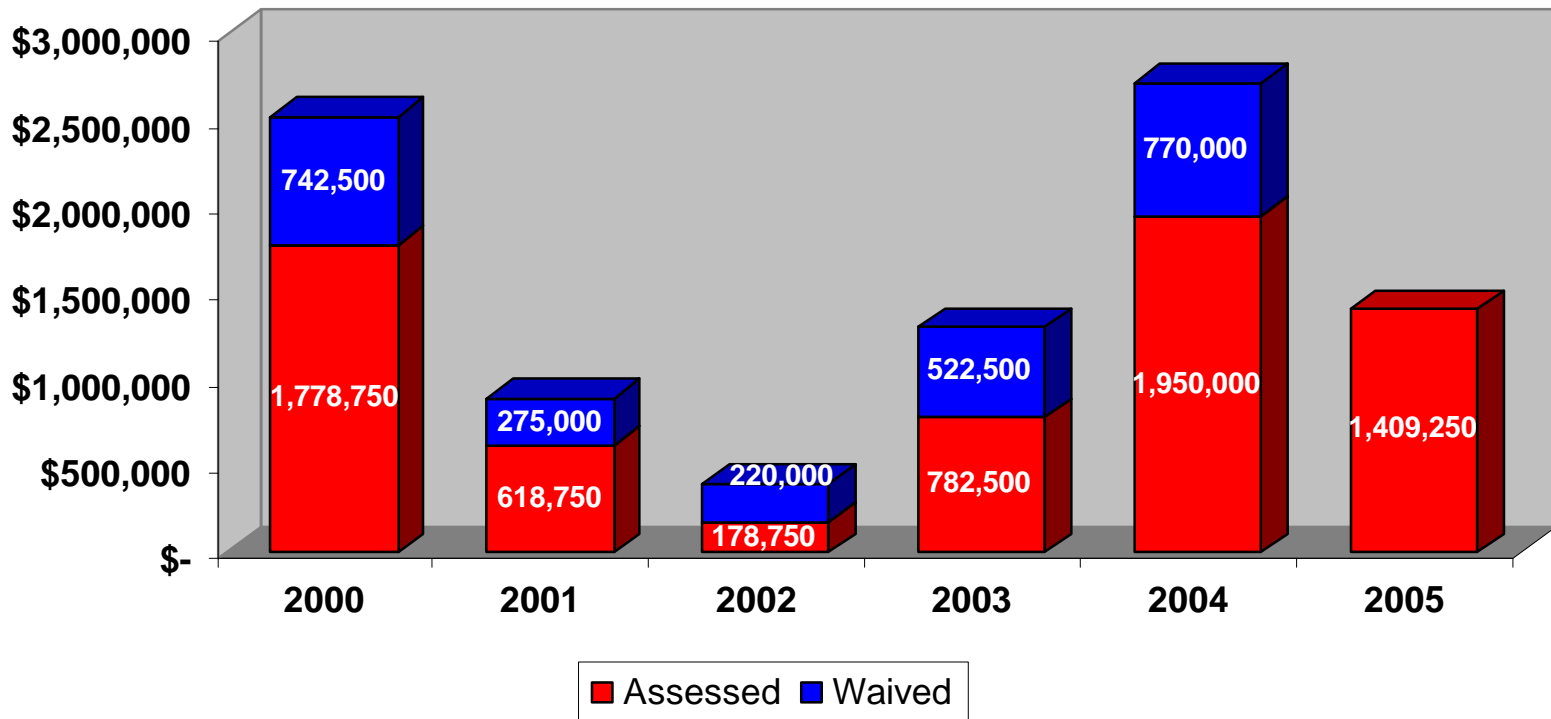
Helping the field succeed with safe and reliable operations.





2005 Enforcement Activity (*cont'd*)

PAAA Penalties (\$ Millions)





2005 Enforcement Activity (*cont'd*)

Contractor Employee Protection Rule –708

- Developing Memorandum of Understanding with the Department of Labor – notification of retaliation cases involving DOE contractors
- Established arrangement with DOE's Office of Hearings and Appeals (OHA) – monthly notification of cases and status
- DOL and OHA findings will be taken as facts in the case
- A positive finding by DOE or OHA will result in an Enforcement Action





2005 Enforcement Activity *(cont'd)*

➤ **Program Reviews**

- Continuing the second round of Program Reviews
- Completed five Program Reviews in 2005
- Observing positive elements in recent reviews:
 - PNNL's multi-tiered PAAA Program self-assessment process
 - BJC's documentation of PAAA screening decisions
 - Level of involvement of Fernald's PAAA Steering Group in review of cause analysis and corrective actions





2005 Enforcement Activity (*cont'd*)

- **EGS 05-01** “Contractor Investigation, Causal Analysis, and Corrective Actions” issued in 2005
 - Notes high frequency of recurrent events
 - Identifies causal analysis/corrective action areas that OE reviews
 - OE areas of emphasis:
 - Depth of causal analysis
 - Extent of condition review
 - Precursor/historical review
 - Evaluation of assessment weakness
 - Effectiveness review





2005 Enforcement Activity (*cont'd*)

The New NTS --User Advantages...

- More user-friendly
- Faster processing
- Data trending
- Preserves existing data
- Encouraging contractors to begin worker safety reports in June 06





2005 Enforcement Activity (*cont'd*)

➤ **Enforcement of Worker Safety and Health**

- Rule Issued February 9, 2006
- Initial thresholds established
- Operational procedures in process
- Discussion by OE Staff and EFCOG representatives to follow

➤ **OE Strategic Plan**

- Developed Strategic Plan to identify opportunities to further drive improvement in nuclear safety performance





Program Implementation

Performance Not Where It Needs To Be

➤ **Adverse Events**

- Levels of serious and other events important to safety not diminishing
- Events dominated by rad exposure, personnel contamination spread of contamination, safety basis violations
- Majority of NTS reports are event-related
- Still too many recurring issues





Program Implementation

Performance Not Where It Needs To Be (cont'd)

✦ **Safety Management Deficiencies**

- Safety Basis Noncompliance
- Inadequate hazards identification and control
- Corrective action programs not addressing underlying issues
- Causal Analysis too shallow
- Extent of Condition reviews not broad enough
- Assessment programs not finding the precursor issues that lead to safety events
- Long-standing safety culture deficiencies





Program Implementation

Performance Not Where It Needs To Be (cont'd)

- ✦ **Senior management not consistently demonstrating commitment to safety performance improvement**
- ✦ **Seeing some areas of encouragement**
 - Examples of senior managers who “get-it”
 - ORNL leadership in safety culture improvement
 - Pantex use of Human Performance Improvement initiative
 - Rocky Flats closure
 - Bechtel-Nevada turning around PAAA Program





Program Implementation

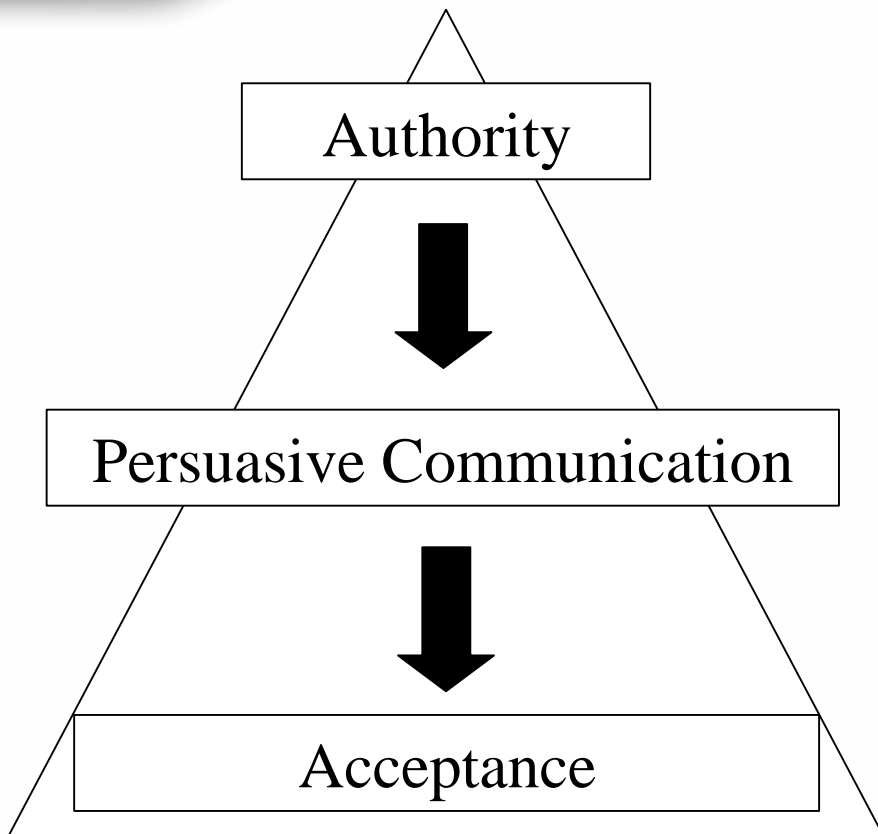
Performance Not Where It Needs To Be (cont'd)

- **Why have encouraging signs not resulted in overall improvement?**
 - Not all contractor managers walking the talk
 - Inconsistent message from DOE and senior contractor management
 - Process to change culture takes time, commitment, and vigilance





Planned Organizational Change



Senior Managers accept and demonstrate support for the change

Middle managers and supervisors are persuasive in communicating the change

The rest of the organization accepts and effectively implements the change

Reference: Kerber & Buono. (2005). Rethinking organizational change: Reframing the challenge of change management. *Organizational Development Journal*, 23(3), 23.





Improvement Initiatives

- **Engage Senior DOE & Contractor Management in driving safety performance improvement**
- **Drive more effective improvement by the contractor against which an action is taken, for example:**
 - Early contact by Director with Field Office Management
 - Escalated action for recurring problems
 - Senior line management at Enforcement Conference





Improvement Initiatives *(cont'd)*

- **Effect a broader impact across the Complex for each enforcement action, for example:**
 - Input to DOE Lessons Learned Program
 - Quarterly Senior Management Safety Bulletin
- **Address Problems Before Significant Events, for example:**
 - Focus on significant recurring safety issues during program reviews
 - Use Enforcement Conferences more proactively
- **Establish More Efficient Enforcement Process**





Other Future Activity/Emphasis

- **Developing Two EGSs for emerging issues:**
 - Stop work issues
 - Unanticipated conditions presented
 - RWP suspension limits exceeded
 - “Placing work in safe condition”
- **Contractor employee protection cases (10 CFR 708)**
 - Based on experience with SEC case last year
 - Commence OE investigation when agency issues final order
 - Describes factors OE considers in such investigations





Other Future Activity/Emphasis (*cont'd*)

- ✦ **Continued development of credible worker safety enforcement program**
 - Support EH implementation workshops
 - Complete enforcement protocol and procedures
 - Finalize reporting thresholds
 - Conduct “prototype” compliance inspections
- ✦ **Refocusing EFCOG to include role more like INPO**
 - EFCOG leadership exploring approach





Other Future Activity/Emphasis (*cont'd*)

➤ **EFCOG Working Group Pilot Program**

- Identify 'Best Practice' examples
- Benchmark
- Self-Policing

